

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

THE UNITED STATES OF AMERICA

vs.

CASE NO.: 00-00055-001 (PG)

EVELYN AVILES-VIROLA

Aka: "Mona"

* * * * *

**MOTION REQUESTING MODIFICATION
OF CONDITIONS OF RELEASE**

**TO THE HON. JUAN M. PEREZ-GIMENEZ
UNITED STATES DISTRICT JUDGE
DISTRICT OF PUERTO RICO**

COMES NOW, CARLINA CORTES -BAEZ, SENIOR UNITED STATES PROBATION OFFICER of this Honorable Court, presenting an official report upon the conduct and attitude of the offender, Evelyn Avilés-Virola, who on the 20th day of April 2001, was sentenced to serve an imprisonment term of seventy (70) months, followed by a supervised release term of eight (8) year for a violation of Title 21 United States Code, Section 846. On July 21, 2005, Mrs. Avilés-Virola was released from custody, at which she commenced the term of supervised release imposed. Besides the standard conditions of supervision, Mrs. Avilés-Virola was ordered to refrain from any unlawful use of controlled substance, submit to substance abuse testing and drug treatment, if needed. The offender was further order to submit her person, residence, office or vehicle to a search conducted by the Probation Office based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. A special assessment in the amount of \$100 was also imposed.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**

On August 9, 2005, the offender reported to the probation officer for a routine visit. During the interview the offender informed that she was in need of mental health treatment. The offender reported that while in custody she was under the care of a psychiatrist and had been prescribed medication for her major depression and anxiety disorder condition. The offender reported that since her release she has not been feeling emotionally strong and healthy.

The offender voluntarily signed Probation Form 49- Waiver of Hearing to Modify Conditions of Supervised Release (herein attached) - agreeing to the modification of her conditions to reflect mental health evaluation and treatment, if needed.

WHEREFORE, in view of the aforementioned, we respectfully request, unless ruled otherwise, that the Court grant the Probation Officer's petition by modifying the conditions as requested in Probation Form 49.

In San Juan, Puerto Rico, this 22nd day of August 2005.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Carlina Cortés-Báez
Carlina Cortés-Báez
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CERTIFICATE OF SERVICE

I HEREBY certify that on this date, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Sonia Torres, Esq. Assistant United States Attorney and Luz M. Ríos-Rosario, Esq., Defense Counsel.

At San Juan, Puerto Rico, August 22nd , 2005.

s/Carlina Cortés-Báez
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CCB/ohv